

Bedford Hills, New York  
March 6, 2012

The first meeting for the month of March of the Town Board of the Town of Bedford was held on March 6, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	Town Clerk
	Joel H. Sachs	: Town Attorney
	Judson K. Siebert	: Town Attorney
	William Hayes	: Chief of Police
	Harold J. Girdlestone	: Sole Assessor
	Kevin Winn	: Commissioner of Public Works
	Amy Pectol	: Receiver of Taxes
	Steven Fraietta	: Building Inspector
	Joan Gallagher	: Director of Personnel
	Edward Ritter	: Town Comptroller
	William Heidepriem	: Superintendent of Recreation & Parks

And ten (10) residents/observers.

**MOMENT OF SILENCE – George Delaney**

Mrs. Roberts offered a moment of silence in memory of long time resident George Delaney, who passed away in February.

**STATE BUDGET UPDATE – Jim Coleman, Chief of Staff to Senator Ball.**

Mr. Coleman gave an update on the New York State Budget for the audience along with a presentation to Mary Beth Kass in recognition of her nomination from the Town of Bedford as the New York State Woman of the Year.

**PRESENTATION – Consider recommendation of energy efficient lighting upgrades in Department of Public Works.**

EnerPath Services Inc. manages a small business program for New York State Electric and Gas (NYSEG) that would enable the Town of Bedford to replace lights at both the Highway Department and Police Department. By replacing the fixtures, the Town stands to save 33% annually on the cost of lighting.

It was noted during the presentation that an investigation as to whether the new lighting would cause any radio interference for the Highway and Police Departments should be performed. Additionally, the Town Board requested that the Town Attorney review the information.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby approve the recommendations for energy efficient lighting upgrades in the Department of Public Works at a cost of \$2,698.75 as per the assessment performed February 15, 2012 by New York State Electric and Gas (NYSEG) and estimate provided by EnerPath Services Inc. ; and

BE IT FURTHER RESOLVED

THAT the Supervisor is hereby authorized to sign the agreement between the Town of Bedford and EnerPath Services Inc. for the replacement/retrofit of the lighting and equipment.

**PRESENTATION** – The Tax Apportionment Process – Harry Girdlestone, Ed Ritter and Amy Pectol.

Propose Changing Valuation Date – Harry Girdlestone.

Mr. Girdlestone presented an overview of the tax apportionment process including a discussion on the 2% levy cap, an example of the County tax apportionment process, the tax impact of the 2012 Westchester County tax levy and provided a sample of the 2012 County and Town tax bill.

Mr. Girdlestone then discussed a proposal to change the valuation date for the 2012 Assessment Roll from June 1, 2012 to July 1, 2011. He offered several reasons for changing the date to July 1<sup>st</sup> of the preceding taxable status date, which is utilized by New York State and several neighboring municipalities. He pointed out that this provides for an ease of establishing value for assessment review when “benchmark” values are defined, it offers a hedge against equalization rate discrepancies, particularly in a declining market and noted that the equalization rate discrepancies disrupt the County apportionment. Mr. Girdlestone and Town Attorney Judson K. Siebert recommended that this date change be enacted in the foreseeable future.

### **APPROVAL OF CLAIMS**

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED, that the following claims for 2011 be allowed for payment from their respective funds,

	<b>2011</b>
Paid Prior to Audit	\$ 180,107.52
	\$ 180,107.52

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

	<b>2012</b>
Paid Prior to Audit	\$ 71,375.70
General Fund	48,860.38
Highway Fund	33,633.15
Consolidated Water District	12,641.99
Cedar Downs Water District	525.78
Farms Water District	577.34
Old Post Road Water District	971.56
Drug Abuse	14.99
Energy	26,043.81
Special Districts:	
Bedford Village Memorial Park	27.21
Bedford Hills Memorial Park	27.20
Katonah Memorial Park	27.20
Bedford Lighting District	104.50
Capital Projects	<u>852,803.38</u>
	\$ 1,047,634.19

## **CORRESPONDENCE**

1. NYS Department of Transportation regarding speed limit and school signing at Rippowam Ciska campus on Route 22.

The Town Board acknowledged receipt of a letter addressed to New York State Assemblyman Robert Castelli dated February 9, 2012 from John McDonald, Commissioner of the New York State Department of Transportation regarding the speed limit in front of the Rippowam Ciska campus on Route 22 in Bedford Hills.

2. Bedford Village Scout Pack 170 request to hold 10<sup>th</sup> annual Cubmobile Race on a Saturday in May, May 5<sup>th</sup> preferably.

On a motion by Mr. Corcoran, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the request dated February 28, 2012 from Karen Horvath, Bedford Village Cub Scout Pak 170 to hold their tenth (10<sup>th</sup>) annual Cubmobile Derby on Saturday, May 5, 2012 on Court Road, between Seminary Road and the Bedford Village Elementary School from 3:30 pm to 6:00 pm, with the troop to reimburse the Town of Bedford for the cost of the Police and Highway personnel, and subject to the submission of a Certificate of Insurance naming the Town of Bedford as an additional insured.

3. Request to have penalty for late payment of school taxes refunded.

Mrs. Roberts summarized the letter that had been received from a resident dated February 25, 2012. The Town Board acknowledged the receipt of the letter and declined to refund the late payment penalty.

## **DEPARTMENTS**

1. Request approval to hire Lothrop Associates for architectural services for 425 Cherry Street roof replacement.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the hiring of the lowest most responsible bidder, Lothrop Associates, 333 Westchester Avenue, White Plains, New York 10604 to provide architectural services for the replacement of the roof at the Town of Bedford Annex at 425 Cherry Street, in the amount of \$13,710.00 as per the memorandum dated February 27, 2012 from Steven Fraietta, Building Inspector.

2. Request to issue RFP for Bond Counsel.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby grant approval for the Town of Bedford Comptroller Edward J. Ritter, to issue a Request for Proposal (RFP) for Bond Counsel, as per Mr. Ritter's memorandum dated February 28, 2012.

3. Approval of Credit Card processing company and user fees.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the change in credit card processing companies from Global Payments to Chase Paymentech, as the fees charged for processing are lower than with the current vendor; and

BE IT FURTHER RESOLVED that the Town Board does also hereby approve the implementation of a 2.5% fee for tax payments and a tiered approach for the Point of Sale acceptance of credit cards, as per the memorandum dated February 28, 2012 from Edward J. Ritter, Town Comptroller.

4. Purchase Policy – Approve new minimum requirements.

On a motion by Mr. Chryssos, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby adopt the increased limits for purchase contracts pursuant to Chapter 56, Part FF of the Laws of the State of New York of 2010 and enacts the Town of Bedford Purchase Policy as follows:

REQUISITIONS/PURCHASE ORDERS

All purchases of goods and services require a requisition to be entered and a purchase order produced before any order is placed. This is to ensure that the purchase is authorized and funds are available.

VERBAL QUOTES

Purchases of materials of \$2,500 or more require three (3) verbal quotes. All verbal quotes must be documented (date, price, vendor) and attached with the Purchase Order.

Contracts for public work (services other than professional services) of \$10,000 or more require three (3) verbal quotes. All verbal quotes must be documented (date, price, vendor) and attached with the Purchase Order.

WRITTEN QUOTES

Purchases of materials of \$5,000 or more require three (3) written quotes. All written quotes must be attached to the Purchase Order.

Contracts for public work (services other than professional services) of \$20,000 or more require three (3) written quotes. All written quotes must be attached to the Purchase Order.

COMPETITIVE BIDDING

Purchases of materials of \$20,000 or more require the solicitation of competitive bidding.

Contracts for public work (services other than professional services) of \$35,000 or more require the solicitation of competitive bidding.

All bids must be properly advertised in at least one of the Town's official newspapers. The Town Clerk will review all bid packets for completeness and will be responsible for the advertisement, and opening of the bids on the date and time specified. Department heads and staff involved in the bid should be present.

STATE AND COUNTY CONTRACTS

The use of verbal quotes, written quotes and/or competitive bidding is not necessary for making purchases of items from a current State or County contract. Purchase order requests for purchase under State or County contract must be accompanied by the State or County contract number.

5. Bid Award – Zero Turn Turf Mower with Mulching Attachments for the Parks Department.

On a motion by Mr. Corcoran, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby award the bid for the purchase of a Zero Turn Turf Mower with Mulching Attachments for the Parks Department to the lowest, most responsible bidder Arroway Tractor, Katonah, New York in the amount of \$12,445.07 as per the memorandum dated February 29, 2012 from William Heidepriem, Superintendent of Recreation and Parks.

6. Bid Award – F-550 Dump Truck for the Parks Department.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the bid for the purchase of a 2012 Ford F-550 Diesel Powered Dump Truck with Extended Warranty option for the Parks Department to the lowest, most responsible bidder, Morande Ford, Berlin, Connecticut in the amount of \$65,900.00 as per the memorandum dated February 29, 2012 from William Heidepriem, Superintendent of Recreation and Parks.

7. Authorize Supervisor Roberts to execute an Inter-Municipal Agreement with Mount Kisco to install a remote receiver site within the Village.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to execute an Inter-Municipal Agreement with Mount Kisco to install a remote receiver site within the Village of Mount Kisco, at an exiting facility at the north end of Emery Street, to address the issues of poor signal coverage and the federal narrowband compliance mandate, as per the memorandum dated March 1, 2012 from William J. Hayes, Chief of Police.

8. Authorize Supervisor Roberts to execute Subcontractor Agreement with the Energy Improvement Corporation to manage the Energize Starter Project.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to execute the Subcontractor Agreement with the Energy Improvement Corporation to manage the Energize Starter Project.

**PERSONNEL**

1. Consider appointing Bruce Yablon to the Blue Mountain Housing Development Corp.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby appoint Bruce Yablon to the Blue Mountain Housing Development Corp. and Bedford Town Housing Agency, to fill the unexpired term of Charles McDuffie, said term to expire February 1, 2014.

**NEW BUSINESS**

1. Executive Session – Personnel.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None

March 6, 2012 – Regular Meeting - continued

Absent:         None

RESOLVED that the Town Board shall discuss matters of personnel in an executive session to be conducted at the conclusion of the regular meeting.

There being no further discussion the Town Board adjourned to executive session at 9:35 pm.

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Lisbeth Fumagalli, Town Clerk

Minutes of Execution Session - Town Board of the Town of Bedford - March 6, 2012

On March 6, 2012 at approximately 9:40 p.m., the Town Board voted to go into Executive Session. Attending the meeting were Supervisor Roberts, Town Board members Chryssos, Corcoran, Burdick and Gabrielson. Also attending were Town personnel Director Joan Gallagher and Town Attorney Joel Sachs.

At the outset of the meeting, Councilman Corcoran moved and Councilman Gabrielson seconded that Joel Sachs be appointed as Deputy Town Clerk for the purpose of the meeting.

At the meeting, there was a discussion in regard to a recommendation by the New York State Comptroller and an explanation by Keane and Beane Counsel Ron Longo. There was also a discussion involving Town Court personnel.

No decisions were made and no votes were taken on either issue.

The Executive Session was adjourned at 10:00 p.m.

Respectfully submitted,

Joel H. Sachs  
Acting Deputy Town Clerk